

Order

Michigan Supreme Court
Lansing, Michigan

October 22, 2021

Bridget M. McCormack,
Chief Justice

162302

JOELYNN T. STOKES, Personal Representative
of the ESTATE OF LINDA HORN,
Plaintiff-Appellee,

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh
Elizabeth M. Welch,
Justices

v

SC: 162302
COA: 349522
Oakland CC: 2018-164148-NH

MICHAEL J. SWOFFORD, D.O., and
SOUTHFIELD RADIOLOGY ASSOCIATES,
PLLC,
Defendants-Appellants.

On order of the Court, the application for leave to appeal the October 22, 2020 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellants shall file a supplemental brief addressing whether MCL 600.2169, as interpreted by *Woodard v Custer*, 476 Mich 545 (2006), permits a medical malpractice plaintiff to establish the standard of care with an expert whose subspecialty focuses on the type of care at issue, but whose subspecialty is not the same specialty of the defendant health professional. The appellants' brief shall be filed by January 31, 2022, with no extensions except upon a showing of good cause. In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellants' brief. A reply, if any, must be filed by the appellants within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.



s1019

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 22, 2021


Clerk